

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-10, 13-20, 23 and 50 are pending in the present application. Claims 1, 13, 23 and 50 are amended by the present amendment. Support for amendments to the claims can be found in the disclosure as originally filed, for instance, in Fig. 36 and 37 and page 66, lines 23 to page 69, line 11. Thus, no new matter is added.

In the outstanding Office Action, Claims 1-10, 13-20 and 23 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement; and Claims 1-10, 13-20, 23 and 50 were rejected under 35 U.S.C. §103(a) as anticipated by Eldridge et al. (U.S. Pat. No. 6,421,716, herein “Eldridge”) in view of Wu (U.S. Pat. No. 7,312,887).

With respect to the rejection of Claims 1-10, 13-20 and 23 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement, Applicants respectfully traverse this rejection.

The outstanding Action states on pages 2 and 3 that

Independent claims 1, 13, 23 and 50 recite the limitation “...address of the service...” This limitation does not have proper written description support in the Applicant’s specification. The specification teaches an IP address of the printer and not a service...Accordingly, the examiner will treat this limitation to mean an IP address of the printer and not a service.

However, Applicants respectfully traverse this assertion as incorrect and the treatment of this feature as improper. Specifically, an address of the service is clearly supported throughout the originally filed specification.

For instance, page 68, line 22 to page 69, line 1 refers to the “address of the service” by stating,

In the item "Access Uri", a request URI (Uniform Resource Identifier) of the end point (indicated by a POST of a SOAP (Simple Object Access Protocol) of the Web service. The request URI is positioned after an host description portion of an HTTP URL is stored.

and Figure 37 illustrates this feature in the "Access Uri" column. The outstanding Action appears to associate the "address of the service" with an IP address, however, as is noted above and shown in Figure 37 (see separate columns for "Access Uri" and "IP address") these two elements are clearly distinct features. One with ordinary skill in the art would immediately recognize that the "address of the service" is distinct from the IP address and that a single IP address may correspond to a number of services.

Nevertheless, Applicants have amended Claims 1, 13, 23 and 50 to recite that the information includes at least a port number of an end point of the service, an operation status of the service and an implementation type of the service. Accordingly, Applicants respectfully request that the rejection of Claims 1-10, 13-20 and 23 under 35 U.S.C. §112, first paragraph, be withdrawn.

Addressing now the rejection of Claims 1-10, 13-20, 23 and 50 under 35 U.S.C. §103(a) as unpatentable over Eldridge and Wu that rejection is respectfully traversed.

Claim 1 recites, in part,

a service providing part configured to provide a service which a user utilizes,

wherein said service providing part further includes a service information providing part configured to provide information concerning the service in response to a request from a user terminal to the user terminal, the information including at least a port number of an end point of the service, an operation status of the service and an implementation type of the service and enabling the user to utilize the service when selected, and

wherein the service is configured to operate a hardware resource which performs image formation.

Claims 13, 23 and 50 recite similar features.

Eldridge describes a system for performing document services using a mobile computing device. Specifically, Eldridge describes that a user is able to use a mobile phone to select a document stored on a remote server to be acted upon by one of a number of remote services.

However, Eldridge does not describe or suggest providing information concerning the service in response to a request from a user terminal, the information including at least a port number of an end point of the service, an operation status of the service and an implementation type of the service and enabling the user to utilize the service when selected, as is recited in Claim 1.

For instance, while Eldridge merely returns HTML, the claimed invention describes that an operation status of the service which lets the user terminal know if the service is active or not is included in the transmitted information.

Nevertheless, the outstanding Action relies on Wu as curing the above noted deficiencies of Eldridge.

Wu describes a printer list that includes a printer name and an IP address of the printer. However, Wu does not describe or suggest providing information concerning the service in response to a request from a user terminal, the information including at least a port number of an end point of the service, an operation status of the service and an implementation type of the service and enabling the user to utilize the service when selected, as is recited in Claim 1.

The outstanding Action indicates that the Wu reference is applied based on the assumption that the “address of the service” is merely an IP address. However, as was noted above, this assumption is incorrect, thus the Wu reference cannot be used to cure the deficiencies of Eldridge with regard to the claimed invention.

In addition, Wu does not describe or suggest that an operation status of the service, which lets the user terminal know if the service is active or not, is included in the transmitted information.

Accordingly, Applicants respectfully submit that Claim 1 and similarly Claims 13, 23 and 50, and claims depending therefrom, patentably distinguish over Eldridge and Wu considered individually or in combination.

In addition, with respect to rejection of Claims 8, 9, 19 and 20 under 35 U.S.C. §103(a) as unpatentable over Eldridge and Wu, Applicants respectfully traverse this rejection.

Specifically, the outstanding Action states on page 4 that

The cited prior art does not teach that the information concerning the service stored in said service information storing part is written in at least two languages, and the request includes language indication information indicating a language of the information of the service, the information to be included in a response corresponding to the request. However, the Examiner notes that this limitation is not functionally involved in the elements of the recited system. Therefore this limitation is deemed to be nonfunctional descriptive material. The elements of the apparatus would be the same regardless of what language the service was written in. The difference between the claimed invention and the prior art is merely subjective. Thus this nonfunctional descriptive material will not distinguish the claimed invention from the prior art in terms of patentability

However, Applicants respectfully submit that the language indication information recited in Claims 8, 9, 19 and 20 is **not merely nonfunctional descriptive material**. MPEP §2106.01 states that

Nonfunctional descriptive material includes but is not limited to music, literary works, and a compilation or mere arrangement of data... Certain types of descriptive material, such as music, literature, art, photographs, and mere arrangements or compilations of facts or data, without any functional interrelationship is not a process, machine, manufacture, or composition of matter.

Clearly the claimed feature is not merely an “arrangement of data”. Applicants note that the “two languages” feature of Claims 8, 9, 19 and 20 is relevant to the claimed invention and not merely ornamental. As is illustrated in Figure 19, the data that is displayed on a user terminal is different depending on what type of language the user terminal uses. Thus, the apparatus clearly has a specific function of using language indication information to display options specific to the user in question. Thus, Applicants respectfully submit that rejection of Claims 8, 9, 19 and 20 under 35 U.S.C. §103(a) is improper as the features recited therein are not simply nonfunctional descriptive material.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

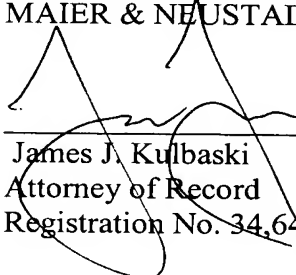
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